

SERIAL NO. 09/916,111

ATTORNEY DOCKET NO. H-011 (306\*142)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:  
Greg Volgas *et al.*

Group Art Unit: 1616

Serial No. 09/916,111

Filing Date: July 27, 2001

Examiner: Pryor, Alton Nathaniel

For: Manufacture And Use Of A  
Herbicide Formulation

Commissioner for Patents  
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-  
CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR  
PATENTS, WASHINGTON, DC 20231 ON THIS 12<sup>th</sup> DAY OF December  
, 2002.

*J. Lynn Ferry*  
J. LYNN FERRY

**RESPONSE TO RESTRICTION REQUIREMENT/ELECTION OF SPECIES**

Sir:

In response to the Office Action mailed November 12, 2002, applicants again elect the components in Example 1 as the elected species. Example 1 uses 2,4-dichlorophenoxy acetic acid and C<sub>11</sub> alcohol (OC<sub>2</sub>H<sub>5</sub>)<sub>3</sub> ethoxylate. Examples of the chlorinated carboxylic acid herbicides are listed starting at page 5 of the specification. There are no other components elected. The elected components read on claims 1-56, 66, 68-69, 71-80 and 86-90. The applicants respectfully request that the non-elected dependent claims that ultimately depend from claim 1, be rejoined when the claims are deemed allowable.

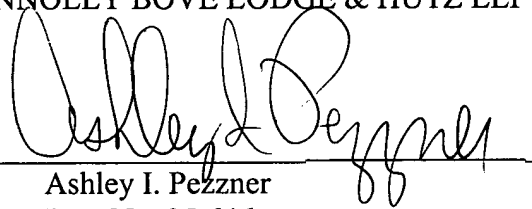
No additional fee is due. If there are any additional fees due in connection with the filing of this response, including any fees required for an additional extension of time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge or credit any overpayment to Deposit Account No. 03-2775.

A prompt favorable action is earnestly solicited. If the Examiner deems the election non-responsive, the applicants respectfully request that the Examiner contact the undersigned at (302) 88-6270.

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

By



Ashley I. Pezzner  
Reg. No. 35,646  
Tel. (302) 888-6270